IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 14673 of 2004

Between:

Vidya Committee, UPS, (Upper Primary School) Vasthakondur Village, Gundala Mandal, Nalgonda District,
represented by its Chairman K. Somaiah, S/o. Bhadraiah, aged 53 years, Occ: Agriculture, R/o. Vasthakondur Village,

Gundala Mandal,Nalgonda District. **....PETITIONER**

AND

1 The Government of A.P., represented by its Principal

Secretary, Panchayath Raj Department, Secretariat

Building, Hyderabad.
2. The District Collector & Chairman, DPEP Nalgonda, Nalgonda

District.
3 The Superintending Engineer, Panchayat Raj Circle,

Nalgonda, Nalgonda District.
4 The Executive Engineer, Panchayat Raj Division, Bhongir,

Nalgonda District. **.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent, in not granting administrative sanction for the construction of 4 incompleted Additional Classrooms under DPEP (SSA) Scheme vide his proceedings in Rc.No.4353/1/C/SSA/2003 dated 02.03.2004, as illegal, arbitrary and void and consequently to direct the respondents to accord administrative sanction to construct 4 incomplete Additional Classrooms of UPS (Upper Primary School) Vasthakondur Village, Gundala Mandal, Nalgonda District, under Sarva Shiksha Abhiyan Scheme (SSA) for the year 2003-2004 converging with DPEP and SGRY funds in the Nalgonda District.

Counsel for the Petitioner: MR.E.VENKATA REDDY

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEVELOPMENT.

The Court at the admission stage made the following:

ORDER:

The petitioner/Vidya Committee claims to have been entrusted construction work of four classrooms in U.P.S. Vasthakondur village on nomination basis for which administrative sanction was accorded by the Zilla Parishad and technical sanction was accorded by the fourth respondent, and accordingly the petitioner executed the work by spending certain amount.

The case of the petitioner is that as the second respondent has failed to allocate any funds to the work executed by it, the fourth respondent has not paid the amount.

The petitioner's right, if any, to claim the amounts for the work got executed by it, is to proceed against the fourth respondent who allotted the work to it and it cannot question the action of second respondent for non-allocating the funds to the said work. In view of the same, the writ petition is devoid of any merits and the same is accordingly dismissed. No costs.

(A.GOPAL REDDY, J)

Date: 18-08-2004

ghn/lvl

To

1 The Government of A.P., represented by its Principal

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3 The Superintending Engineer, Panchayat Raj Circle,

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4 The Executive Engineer, Panchayat Raj Division, Bhongir,

Nalgonda District.

5 Two 2CCs to the Government Pleader for Panchayat Raj

and Rural Development, High Court of A.P., Hyderabad.(o.u.t.)

6 Two CD copies